

Application No. 10/072,203 shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding on the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on U.S. Patent Application Serial No. 10/072,203 that would extend to the expiration date of the full statutory term as defined in 35 USC §§154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that any such patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. ' 1.321(a), has all claims cancelled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

A check for the statutory disclaimer fee of \$65.00 as specified under 37 C.F.R. ' 1.20(d) is enclosed herewith.

The undersigned is an attorney or agent of record.

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